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PAGES (INCLUDING THIS COVER PAGE): 10

RE Restriction Election Facsimile Transmittal

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RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: November 4, 2002

FROM/ATTORNEY: David W. Maher

FIRM: Bingham McCutchen LLP

PAGES, INCLUDING COVERSHEET: 9

PHONE NUMBER: (650) 849-4908

TO EXAMINER: Phuong N. Huynh

ART UNIT: 1644

SERIAL NUMBER: 09/966,561

FAX/TELECOPIER NUMBER: (703) 308-4315

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FOR RESPONSES TO RESTRICTIONS.**

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Patent
13761-7030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir

1. Documents enclosed:

Transmitted herewith in response to Office Action, mailed 07/02/2002, for the above-identified application, are the following:

- Response to Restriction Requirement (6 pages)
- Transmittal with certificate of mailing (2 pages)

**CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. §1.6(d))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via fax on the date shown below to U.S. Patent and Trademark's fax number (703) 308-4315 addressed to the Commissioner for Patents, Washington, D.C.

01 FC:2254

720.00 CH

November 4, 2002

Date of facsimile transmission

Carolyn Tobias

Name of Person transmitting Paper

Carolyn Fabca
Signature of Person transmitting Paper

PATENT
13761-7030

2. Request for EXTENSION of Time:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	Fee for Small Entity	Fee for Other than Small Entity
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$200.00	\$400.00
<input type="checkbox"/> three months	\$460.00	\$920.00
<input checked="" type="checkbox"/> four months	\$720.00	\$1,440.00
<input type="checkbox"/> five months	\$980.00	\$1,960.00
	Fee	\$720.00

If any extension fee is required, please consider this a petition therefor.

3. Method of Payment of fee:

Check in the amount of \$_____ is enclosed to cover the above fee(s).

Charge Bingham McCutchen's Deposit Account No. 50-1192 in the amount of \$720.00.

The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. 50-1192 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 50-1192.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: November 4, 2002

By: 
David W. Maher, Reg. No. 40,077

BINGHAM McCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400

Docket No. 13761-7030

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.8(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Phuong N. Huynh at Facsimile No. (703) 308-4315 at 703-308-4315.

Dated: November 4, 2002 Name of Person Certifying: Carolyn Tobias
Printed Name: Carolyn Tobias

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Miller, et al. Assignee: University of Southern California
 Filing Date: September 27, 2001 Examiner: Phuong N. Huynh
 Serial No.: 09/966,561 Group Art Unit: 1644
 Title: **TREATING NEUROLOGICAL DISORDERS USING HUMAN APOPTOSIS INHIBITING PROTEIN**

Commissioner for Patents
 Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Office Action dated June 4, 2002. This response is accompanied by a petition for a 4 month extension of time to extend the period to respond to the Office Action to November 4, 2002 and the appropriate fee under 37 C.F.R. § 1.16 and § 1.17. Accordingly this response is timely filed.

IN THE CLAIMS

The following is a clean version of the entire set of pending claims. In accordance with 37 CFR 1.21(c)(1)(ii), attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned "Version with markings to show changes made."

1. (Amended) A method of treating a neurological disorder in a human patient which comprises administering to said human patient an effective amount of a polypeptide comprising a sequence substantially equivalent to SEQ ID NO: 2.

2. (Amended) The method of claim 1 wherein the polypeptide is administered in a composition further comprising a pharmaceutically acceptable carrier.